

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN CLARKE	:	CIVIL ACTION
	:	
v.	:	NO. 16-2570
	:	
MICHAEL OVERMYER and	:	
THE ATTORNEY GENERAL OF THE	:	
STATE OF PENNSYLVANIA	:	

**ORDER**

**NOW**, this 26th day of October, 2016, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Report and Recommendation filed by United States Magistrate Judge Marilyn Heffley (Document No. 7) and no objections to the Report and Recommendation having been filed, and after a thorough and independent review of the record, it is **ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Heffley is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DISMISSED**; and,
3. There is no probable cause to issue a certificate of appealability.

/s/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.